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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MUTUAL OF OMAHA LOANPRO, L.L.C., a
Nebraska limited liability company, as successor-
in-interest to Mutual of Omaha Bank, successor-
in-interest to the FDIC as Receiver for First
National Bank of Nevada,

Plaintiff,

v.

WIP-CD, LLC, a Nevada limited liability
company; GREENSTREET PROPERTIES,
LLC, a Nevada limited liability company;
KEITH K. LYON, as trustee of the KEITH K.
LYON LIVING TRUST u/a/d OCTOBER 29,
2003; STACY RUSH and ADRIENNE RUSH,
as trustees of THE STACY AND ADRIENNE
RUSH FAMILY TRUST, u/a/d MARCH 22,
1993; STANLEY WASSERKRUG and SUSAN
WASSERKRUG, as trustees of THE
WASSERKRUG FAMILY TRUST u/a/d
NOVEMBER 13, 2003; ADRIENNE RUSH and
STACY RUSH, husband and wife; KEITH
LYON; an unmarried man; and STANLEY
WASSERKRUG and SUSAN WASSERKRUG,
husband and wife,

Defendants.

CASE NO.: 2:11-cv-0233-PMP-PAL

**JOINT MOTION TO VACATE
SETTLEMENT CONFERENCE AND
DISMISS WASSERKRUG DEFENDANTS**

Pursuant to L.R. 6-2, 7-1, and this Court's Minutes of Proceedings on May 10, 2013
(Dkt. No. 59), Plaintiff Mutual of Omaha LoanPro, L.L.C. ("**Plaintiff**") and Defendants Stanley
Wasserkrug and Susan Wasserkrug, in their individual capacity and as trustees of The

1 Wasserkrug Family Trust u/a/d November 13, 2003 (collectively the “**Wasserkrugs**”) hereby
2 stipulate that all claims asserted against the Wasserkrugs in this action should be dismissed, as
3 said claims have been discharged in bankruptcy. On December 21, 2011, Stanley Wasserkrug
4 and Susan Wasserkrug filed for voluntary Chapter 7 bankruptcy protection in the United States
5 Bankruptcy for the District of Nevada (Las Vegas), Case No. BK-11-29314-LBR (the
6 “Bankruptcy”), triggering the bankruptcy automatic stay. A discharge order was entered on
7 October 18, 2012.¹ Meanwhile, a settlement was reached between the remaining parties to the
8 lawsuit, resulting in the Judgment entered December 7, 2012 (Dkt. No. 55).

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28 ¹ Because the Wasserkrug Family Trust is a self-settled revocable trust, it is arguably a disregarded entity, and all its assets are deemed the assets of Stanley and Susan Wasserkrug, individually.

1 Because the Wasserkrugs were not previously dismissed from the lawsuit, the Court has
 2 scheduled a Settlement Conference for June 20, 2013 at 9:00 a.m. For the foregoing reasons, a
 3 settlement conference is not necessary. Instead, the parties to this action respectfully request
 4 that: (1) the Settlement Conference be vacated; and (2) this Court enter an order dismissing the
 5 claims against the Wasserkrugs pursuant to Fed. R. Civ. P. 41(a), each party to bear its own fees
 6 and costs incurred in this matter.

7 DATED this 16th day of May, 2013.

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 9 /s/ Charles M. Vlasic
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20 **ORDER**

21 IT IS SO ORDERED.

22 DATED: May 20, 2013

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 25 UNITED STATES DISTRICT JUDGE /
 26 UNITED STATES MAGISTRATE JUDGE
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